

### **REMARKS**

Based on the foregoing claim amendments and the following remarks, Applicants submit that the pending claims are in condition for allowance. Reconsideration of the amended claims and issuance of a Notice of Allowance are respectfully requested.

### **Status of the Claims**

Claims 1-14 were pending in this patent application. Claims 15-25 were previously withdrawn from consideration in response to a restriction requirement. Claims 1, 2, and 9 are amended for clarification. The feature that the complement C4d is associated with platelets obtained from a platelet sample is included. Support for the amendment can be found in the specification as originally filed (see, for example, pp. 8 and 13). Claim 10 is cancelled. Claim 11 is amended to include the feature of original Claim 13, and therefore, Claim 13 is cancelled.

### **Telephone Interview**

In a Telephone Interview on May 4, 2009, between Examiner Gailene Gabel and Applicants' attorney, Carol Marmo, the pending claims were discussed. During the Interview, mutual agreement was reached regarding amendments to the claims to place the claims in condition for allowance. In particular, it was agreed to incorporate into independent claims 1 and 9, and dependent claim 2, the clarification that C4d associated with platelets is obtained from a platelet sample of an individual. Further, it was agreed to amend dependent claim 11 to include the feature of originally-filed dependent Claim 13, *i.e.*, "a conjugate of an antibody specific for CD42b with a second labeled moiety that is detectably different from the first labeled moiety." Thus, it was agreed to cancel dependent Claim 13. Furthermore, Applicants have also canceled independent Claim 10. Based on the Interview, Applicants submit this Supplemental Amendment. Applicants respectfully request reconsideration of the application and a Notice of Allowance in the subject patent case.

### **Conclusion**

Applicants submit that, as amended, Claims 1-9, 11, 12, and 14 are patentable over all of the prior art references cited by the Examiner in the previous Office Action, dated

December 9, 2008, for the reasons set forth in the Amendment response, dated March 12, 2009, which reasons are equally applicable herein. Thus, Applicants submit that the pending claims are in condition for allowance and respectfully requests prompt issuance of a Notice of Allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carol A. Marmo". The signature is fluid and cursive, with the first name "Carol" and last name "Marmo" clearly distinguishable.

Carol A. Marmo

Attorney for Applicants

Registration No. 39,761

Eckert Seamans Cherin & Mellott, LLC

600 Grant Street, 44<sup>th</sup> Floor

Pittsburgh, Pennsylvania 15219

Direct Dial: 412-566-1933

Facsimile: 412-566-6099

Email: [ipmail@eckertseamans.com](mailto:ipmail@eckertseamans.com)